



BIRCH, STEWART, KOLASCH & BIRCH, LLP

#10 CPA / \$  
1-14-03 / 27H

TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUEL, Ph.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON  
THOMAS M. SMALL  
ROBERT A. SELDON  
JOHN A. SCILLIERI  
SANFORD ASTOR

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
BERNARD L. SWEENEY  
ELLIOT A. GOLDBERG  
WILLIAM L. GATES  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)  
F. PRINCE BUTLER  
FRED S. WHISENHUNT (RET.)  
JAMES W. HELLWEGE  
QUENTIN R. "RICK" CORRIE  
ROBERT F. GNUSE  
DAVID R. MURPHY  
PHILIP K. YU

\*ADMITTED TO A BAR OTHER THAN VA.

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 500 EAST  
FALLS CHURCH, VA 22042-1210  
U S A  
(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

CALIFORNIA OFFICES:  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD GALLAGHER  
JAYNE M. SAYDAH  
MARYANNE ARMSTRONG, Ph.D.  
KECIA J. REYNOLDS  
KALPANA REDDY  
MARK E. OLDS  
ESTHER H. CHONG  
CATHERINE M. VOISINET  
EUGENE T. PEREZ  
CAROLYN T. BAUMGARDNER  
JOHN P. KEADY, Ph.D.  
MARTIN R. GEISSLER  
J. ALISON GRABELL  
T. BENJAMIN SCHROEDER, Ph.D.  
PERCY L. SQUARE  
CLINT A. GERDINE  
CRAIG A. MCROBBIE

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI HATSUMI  
GARTH M. DAHLEN, Ph.D.  
ROBERT E. GOOZNER, Ph.D.  
KRISTI L. RUPERT, Ph.D.  
MATTHEW T. SHANLEY  
SUSAN W. GORMAN, Ph.D.  
ROBERT W. DOWNS  
CHAD J. BILLINGS  
CHRISTINE V. CASTILLO  
CARL T. THOMSEN  
SAM BHATTACHARYA

Date: January 8, 2003

Docket No.: 2091-0169P

Appl. No.: 09/172,665

Conf. No.: 9578

BOX CPA

Assistant Commissioner for Patents  
Washington, DC 20231

RECEIVED

JAN 10 2003

Technology Center 2600

Sir:

This is a Request for filing a continued prosecution application under 37 C.F.R. § 1.53(d) of prior Application No. 09/172,665 entitled IMAGE CONVERSION SYSTEM by the following named Inventor(s):

ITO, Wataru

☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).

a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

The above-identified prior application, in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all of the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

01/09/2003 CCHAU1 00000006 09172665

01 FC:1006

750.00 OP

1. ☒ Enter the Amendment previously filed November 26, 2002, under 37 C.F.R. § 1.116 but unentered, in the prior application.
2. ☐ A Preliminary Amendment is enclosed.
3. ☐ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
4. ☐ A new power of attorney or authorization of agent is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	12-20=	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	3-3=	0	x 84 = \$0.00	x 42 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$750.00	\$0.00

5. ☐ Small entity status: Applicant claims small entity status. See 37 C.F.R. § 1.27.
6. ☒ Priority of Application No(s). 9-281807 filed in Japan on October 15, 1997 is claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on February 2, 1999.
7. ☐ Priority of International Appl. filed on under the Patent Cooperation Treaty and Application No(s). filed in on under 35 U.S.C. § 119 are hereby reclaimed.

8. ☒ Address all future communications to:
- BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
or  
Customer No. 2292
9. ☐ The applicant(s) hereby petition(s) for an extension of  
( ) month(s) pursuant to 37 C.F.R. §§ 1.17 and  
1.136(a). The fee has been calculated as shown below:
- ☐ NO extensions of time have been previously obtained in  
the prior application. Thus, a fee of \$0.00 is required  
for the full period of the above-requested extension of  
time.
- ☐ An extension of ( ) month(s) was previously  
requested and paid for on in the prior  
application. Thus, a fee of \$0.00 is required to obtain  
an additional ( ) month(s) in order to  
establish co-pendency with the present application.
10. ☐ Applicant requests suspension of action under 37 C.F.R.  
§ 1.103(b) for a period of ( ) months (not to  
exceed 3 months) and the fee of \$130.00 under 37 C.F.R.  
§ 1.17(i) is enclosed.
11. ☒ Check(s) in the amount of \$750.00 is/are enclosed.
12. ☐ Please charge Deposit Account No. 02-2448 in the amount  
of \$0.00. A triplicate copy of this request is  
enclosed.
13. ☐ The filing fee is **NOT** attached. Please issue a Notice  
requesting the filing fee.
14. ☐ Also enclosed herewith is the following:

---

---

---


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all of the other applications in the same file wrapper.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Marc S. Weiner, #32,181

*cm*  
MSW/CMV/jdm  
2091-0169P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 12/29/02)

IN THE U.S. PATENT AND TRADEMARK OFFICE

COPY

Applicant: ITO, Wataru

Application No.: 09/172,665

Filed: October 15, 1998

For: IMAGE CONVERSION SYSTEM



Group: 2711

Examiner:

RECEIVED

JAN 10 2003

Technology Center 2600

February 2, 1999  
2091-0169P-SP

LETTER

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Under the provisions of 35 USC 119 and 37 CFR 1.55(a), the applicant hereby claims the right of priority based on the following application(s):

Country  
JAPAN

Application No.  
9-281807

Filed  
10/15/97

A certified copy of the above-noted application(s) is(are) attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 

JOHN CASTELLANO

Reg. No. 35,094

P. O. Box 747

Falls Church, Virginia 22040-0747

Attachment  
(703) 205-8000  
/dp



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/172,665	10/15/1998	2615	790	2091-0169P-S	1	1	1

**CONFIRMATION NO. 9578**

BIRCH STEWART KOLASCH & BIRCH  
P O BOX 747  
FALLS CHURCH, VA 22040

**CORRECTED FILING RECEIPT**



\*OC000000009373785\*

Date Mailed: 01/14/2003

Receipt is acknowledged of a CPA in this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

WATURA ITO, KANAGAWA-KEN, JAPAN;

**Domestic Priority data as claimed by applicant**

**Foreign Applications**

JAPAN 9-281807 10/15/1997

**If Required, Foreign Filing License Granted:** 01/14/2003

**CPA filed on:** 01/08/2003

**Projected Publication Date:** 04/24/2003

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

IMAGE CONVERSION SYSTEM

**Preliminary Class**

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).